



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRANT AVENUE, EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

THOMAS V. SKINNER, DIRECTOR

217/782-6760

TDD 217/782-9143

EPA Region 5 Records Ctr.



362865

June 28, 2000

T.L. Diamond and Company, Inc.
c/o C.T. Corporation System
208 South LaSalle Street
Chicago, Illinois 60604-1135

CERTIFIED MAIL -
RETURN RECEIPT REQUESTED
7099 3400 0006 5937 3036

Re: 1358070001 - Montgomery County
Hillsboro/Eagle Zinc
Superfund/Technical Reports

RELEASABLE

1700

Dear Sir or Madam:

REVIEWER MD

The Illinois Environmental Protection Agency ("Illinois EPA") is currently investigating the source, extent and nature of the release or threatened release of hazardous substances, pollutants or contaminants, or hazardous wastes on or about the above-referenced site. The Illinois EPA is seeking information from you pursuant to its authority under Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 as amended ("CERCLA"), 42 U.S.C. §9604(e), and the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1 et seq., to assist in determining the need for additional response to a release of hazardous substance(s) under CERCLA. Concerning the information as follows: (1) the identification, nature and quantity of materials that have been or are generated, treated, stored, or disposed of at, or transported to the site; (2) the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from the site; and (3) the ability of a person to pay for or to perform a cleanup, the Illinois EPA has the authority to require any person who has or may have such information to provide it to the Illinois EPA.

Pursuant to Section 104(e) of CERCLA and Sections 4(b) and 4(e) of the Act, you are hereby requested to submit the information requested in the attachment hereto. Please note that compliance with the enclosed Information Request, which includes the sections entitled Instructions and Definitions, is mandatory. Failure to respond fully and truthfully to each and every Information Request within thirty (30) calendar days of receipt of this letter, or to adequately justify such failure to respond, can result in appropriate enforcement action being taken to seek compliance with this information Request. Any enforcement action taken would include a request for substantial penalties for each day of continued non-compliance. "Non-compliance" is considered to be not only a failure to respond to the Information Request, but also failure to respond completely and truthfully to each Information Request. Please be advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties, imprisonment or both.

GEORGE H. RYAN, GOVERNOR

T.L. Diamond and Company, Inc.
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This Information Request is directed to your company, its officers, directors and employees, and its subsidiaries, divisions, facilities and their officers, directors and employees. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Your response to this Information Request should be mailed to:

Rick Lanham
Bureau of Land, Federal Site Remediation Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Due to the legal ramifications of your failure to respond properly, the Illinois EPA strongly encourages you to give this matter your immediate attention and to respond to the Information Request within the time period specified above. If you should have any legal or technical questions relating to this Information Request, you may consult with the Illinois EPA prior to the time specified above. Technical questions should be directed to Rick Lanham at 217/782-6760, whereas James G. Richardson should be contacted at 217/782-5544 for legal questions.

Thank you for your cooperation in this matter.

Sincerely,

Clarence L. Smith, Manager
Federal Site Remediation Section
Division of Remediation Management
Bureau of Land

CLS:RGL\mls\001861S.WPD

Attachments

cc: Lois Kimbel, Dechert, Price and Rhoads

bcc: Terry Ayers
Tom Crause
Rick Lanham
Greg Richardson
Bureau of Land File
Springfield Regional Office